IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

SECOND APPEAL NO. 217 / 2005 SINGLE BENCH

Appellant / Defendant : The Nagpur Momin Weavers Cooperative Society, Mominpura, Nagpur – 2 Maharashtra, Through Manager, R/o Main Road, Korba, Tahsil and District Korba (C.G.)

Versus

Respondents / Plaintiffs :
1. Ashok Kumar Modi, S/o Late Kishan Lal Modi
2. Sanjay Kumar Modi, S/o Late Kishan Lal Modi,
3. Raja Modi S/o Late Kishan Lal Modi,

All R/o Main Road Korba, Tehsil & District : Korba (C.G.)

P.R. No. 1960/05
Presented by Shri P.R. Ramrakhiani
dated 15.11.05

SECOND APPEAL U/S 100 OF THE CODE OF CIVIL PROCEDURE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक S.A. No. 217/05 **सन् 200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

17-6-2005

Mr. Bharat Rajput, counsel for the appellant.

A suit for eviction and arrears of rent was filed against the appellant and the same was decreed on the ground of *bona fide* requirement of the suit accommodation for the respondents. Civil Judge Class-I, Korba, after due appreciation of the evidence, held that, the respondents require the accommodation for extension of their business and the requirement is *bona fide*. Learned trial Court also considered all other vacant accommodations, and thereafter, was of the opinion that, the suit accommodation is suitable for the respondents to extend their business. In civil appeal, Additional District Judge, Korba, vide impugned judgment and decree dated 18-3-2005, evaluated evidence in detail, and held that, the respondents, for extension of their business, have proved their *bona fide* requirement, and the Court below, holding the same, has not committed any error.

Both the Courts below, after detail evaluation of evidence, have concurrently given a finding of fact that, the disputed accommodation is required *bona fide* by the landlord i.e. the respondents for the purpose of extending their business.

After hearing learned counsel for the appellant at length and also going through the records of trial Court as well as appellate Court, I am of the opinion that, no substantial question

(पीछे देखिये)

XI-HC-22

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आदेश पत्रक

मामला क्रमांक S.A. No. 217/05 — 2 — **सन्** / **200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	of law is involved in this appeal, therefore, it is liable to be dismissed and is accordingly dismissed *in limine*. In the light of above order, M.(C.)P.No.668/2005 for stay and I.A.No.1202/2005 for urgent hearing stand disposed of. **Sd/-** **V.K.Shrivastava** **Judge**	

G.Singh

(पीछे देखिये)